

APPLICATION FOR PERMIT
TO APPROPRIATE THE PUBLIC WATERS OF THE STATE OF NEVADADate of filing in State Engineer's Office OCT 29 1999

Returned to applicant for correction _____

Corrected application filed _____

Map filed OCT 29 1999

The applicant James R. Buell, V.M.D., hereby makes application for permission to appropriate the public waters of the State of Nevada, as hereinafter stated.

1. The source of the proposed appropriation is underground
2. The amount of water applied for is 0.0309 cfs second-feet
 - (a) If stored in reservoir give number of acre-feet
3. The water to be used for stockwatering purposes
4. If use is for:
 - (a) Irrigation, state number of acres to be irrigated
 - (b) Stockwater, state number and kinds of animals to be watered 1,000 head of cattle
 - (c) Other use (describe fully under No. 12. "Remarks")
 - (d) Power:
 - (1) Horsepower developed
 - (2) Point of return of water to stream
5. The water is to be diverted from its source at the following point within the NE1/4 NE1/4 of Section 34, T.46N., R.33E., MDB&M or at a point from which the NE corner of said Section 34 bears S 89° 56' 21" E a distance of 1,297.91 feet.
6. Place of Use a portion of the NE1/4 NE1/4 and the NW1/4 NE1/4 of Section 34, T.46N., R.33E., MDB&M
7. Use will begin about January 1 and end about December 31 of each year.
8. Description of proposed works drilled well, pump, and pipeline to a stockwatering trough
9. Estimated cost of works in excess of \$10,000
10. Estimated time required to construct works 1 year
11. Estimated time required to complete the application of water to beneficial use 2 years

12. Remarks:

Desert Mountain Surveying as agent
By John H. Milton III, PLS, SWRS
By s/ John H. Milton III
146 West Second Street
Winnemucca, NV 89445

Compared gkl/cmf hf/cmf

Protested _____

APPROVAL OF STATE ENGINEER

This is to certify that I have examined the foregoing application, and do hereby grant the same, subject to the following limitations and conditions:

This permit is issued subject to all existing rights on the source. It is understood that the amount of water herein granted is only a temporary allowance and that the final water right obtained under this permit will be dependent upon the period of use and the average number of livestock served from the waters of this source. It is further understood that this right must allow for a reasonable lowering of the static water level at permittee's well due to any other ground water development in the area. The well shall be equipped with a 2-inch opening for measuring depth to water. If well is flowing, a valve must be installed and maintained to prevent waste. The State retains the right to regulate the use of the water herein granted at any and all times but does not take responsibility for the use of the Federal range.

This permit does not extend the permittee the right of ingress and egress on public, private or corporate lands.

The issuance of this permit does not waive the requirements that the permit holder obtain other permits from State, Federal and local agencies.

This permit is issued under the provisions of NRS 534.120(2) as a preferred use.

(CONTINUED ON PAGE 3)

The amount of water to be appropriated shall be limited to the amount which can be applied to beneficial use, and not to exceed 0.0309 cubic feet per second, or sufficient to water 1000 head of cattle.

Work must be prosecuted with reasonable diligence and be completed on or before:

June 27, 2001

Proof of completion of work shall be filed before:

July 27, 2001

Water must be placed to beneficial use on or before:

June 27, 2003

Proof of the application of water to beneficial use shall be filed on or before:

July 27, 2003

Map in support of proof of beneficial use shall be filed on or before:

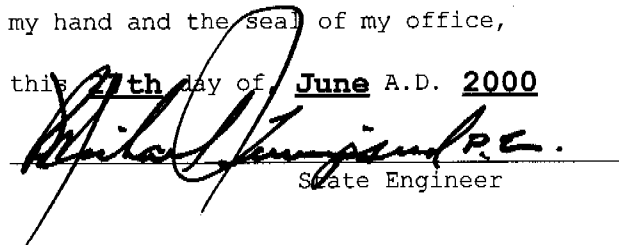
N/A

IN TESTIMONY WHEREOF, I, R. MICHAEL TURNIPSEED, P.E.,

State Engineer of Nevada, have hereunto set

my hand and the seal of my office,

this 27th day of June A.D. 2000


State Engineer

Completion of work filed _____

Proof of beneficial use filed _____

Cultural map filed N/A

Certificate No. _____ Issued _____